

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS DURAN,

Defendant.

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8:23CR63

ORDER

This matter came before the court on the defendant's unopposed Motion to Continue Trial [36]. The parties are engaged in plea negotiations and need additional time to resolve the matter. Good cause having been shown, the motion should be granted. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [36] granted, as follows:

1. The jury trial, now set for August 14, 2023, is continued to **October 23, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 23, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice; or would unreasonably deny the government continuity of counsel, or would deny the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(i), (iv).

DATED August 2, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge